

Senate File 60 - Introduced

SENATE FILE 60
BY SODDERS

A BILL FOR

- 1 An Act relating to the coordination of, access to, and
- 2 availability of broadband via fiberoptic network
- 3 infrastructure throughout the state.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8B.1, Code 2015, is amended by adding the
2 following new subsections:

3 NEW SUBSECTION. 01. "*Broadband*" means a high-speed,
4 high-capacity electronic transmission medium that can carry
5 data signals from multiple independent network sources by
6 establishing different bandwidth channels and that is commonly
7 used to deliver internet services to the public.

8 NEW SUBSECTION. 001. "*Communications service provider*"
9 means a service provider that provides broadband service using
10 fiberoptic network infrastructure.

11 NEW SUBSECTION. 0001. "*Fiberoptic network infrastructure*"
12 means the physical infrastructure used for the transmission
13 of data via broadband over fiberoptic networks, including
14 but not limited to any fiberoptic cable equipment, systems,
15 switches, routers, conduits, servers, software, technology,
16 base transceiver station sites, or other equipment used to
17 transmit broadband communications via fiberoptics. "*Fiberoptic*
18 *network infrastructure*" does not include land, buildings,
19 structures, improvements, or equipment not directly used in the
20 transmission of data via broadband over fiberoptic networks.

21 NEW SUBSECTION. 7A. "*Targeted underserved service area*"
22 means one or more homes or businesses that do not have
23 access to broadband service provided by fiberoptic network
24 infrastructure.

25 Sec. 2. Section 8B.1, subsection 1, Code 2015, is amended
26 to read as follows:

27 1. "*Information technology*" means computing and electronics
28 applications used to process and distribute information in
29 digital and other forms and includes information technology
30 devices, information technology services, infrastructure
31 services, broadband and fiberoptic network infrastructure, and
32 value-added services.

33 Sec. 3. Section 8B.3, subsection 1, Code 2015, is amended
34 to read as follows:

35 1. The office is created for the purpose of leading,

1 directing, managing, coordinating, and providing accountability
2 for the information technology resources of state government
3 and for coordinating statewide broadband availability and
4 access provided by fiberoptic network infrastructure.

5 Sec. 4. Section 8B.4, Code 2015, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 14A. Streamline, consolidate, and
8 coordinate the access to and availability of broadband via
9 fiberoptic network infrastructure throughout the state,
10 including but not limited to developing policies and
11 recommendations for expanding the installation of fiberoptic
12 network infrastructure in targeted underserved service areas
13 of the state, facilitating public-private partnerships,
14 ensuring that all state agencies' broadband and fiberoptic
15 network infrastructure policies and procedures are aligned,
16 promoting accountability regarding broadband and fiberoptic
17 network infrastructure availability and access, integrating
18 broadband with cyber security standards and rules, resolving
19 issues which arise with regard to implementation efforts,
20 collecting data and developing metrics or standards against
21 which the data may be measured and evaluated regarding
22 fiberoptic network infrastructure installation and deployment,
23 and identifying options regarding the creation of standing
24 resources for stakeholders, such as a fiberoptic database or a
25 fiberoptic network conduit installation coordination effort for
26 state-funded construction projects.

27 Sec. 5. Section 8B.9, Code 2015, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 5. An annual report regarding the status of
30 broadband expansion and coordination via fiberoptic networks.

31 Sec. 6. Section 8D.3, subsection 2, paragraph a, Code 2015,
32 is amended to read as follows:

33 a. The commission is composed of five voting members
34 appointed by the governor and subject to confirmation by the
35 senate. ~~Members~~ Voting members of the commission shall not

1 serve in any manner or be employed by an authorized user of the
2 network or by an entity seeking to do or doing business with
3 the network.

4 (1) The governor shall appoint a voting member as the
5 chairperson of the commission from the five voting members
6 ~~appointed by the governor~~, subject to confirmation by the
7 senate.

8 (2) ~~Members~~ Voting members of the commission shall serve
9 six-year staggered terms as designated by the governor and
10 appointments to the commission are subject to the requirements
11 of sections 69.16, 69.16A, and 69.19. Vacancies shall be
12 filled by the governor for the duration of the unexpired term.

13 (3) The salary of the voting members of the commission shall
14 be twelve thousand dollars per year, except that the salary
15 of the chairperson shall be seventeen thousand dollars per
16 year. ~~Members~~ Voting members of the commission shall also be
17 reimbursed for all actual and necessary expenses incurred in
18 the performance of duties as members. The benefits and salary
19 paid to the voting members of the commission shall be adjusted
20 annually equal to the average of the annual pay adjustments,
21 expense reimbursements, and related benefits provided under
22 collective bargaining agreements negotiated pursuant to chapter
23 20.

24 Sec. 7. Section 8D.3, subsection 2, paragraph b, Code 2015,
25 is amended to read as follows:

26 ~~b. In addition to the members appointed by the governor,~~
27 ~~the~~ The auditor of state or the auditor's designee and the
28 chief information officer appointed pursuant to section 8B.2
29 or the chief information officer's designee shall serve as a
30 nonvoting, ex officio member ~~members~~ of the commission.

31 Sec. 8. Section 8D.4, Code 2015, is amended to read as
32 follows:

33 **8D.4 Executive director appointed.**

34 The commission, in consultation with the director of
35 the department of administrative services ~~and the chief~~

1 ~~information officer~~, shall appoint an executive director of
2 the commission, subject to confirmation by the senate. Such
3 individual shall not serve as a member of the commission.
4 The executive director shall serve at the pleasure of the
5 commission. The executive director shall be selected primarily
6 for administrative ability and knowledge in the field, without
7 regard to political affiliation. The governor shall establish
8 the salary of the executive director within range nine as
9 established by the general assembly. The salary and support of
10 the executive director shall be paid from funds deposited in
11 the Iowa communications network fund.

12 Sec. 9. Section 80.28, subsection 2, Code 2015, is amended
13 to read as follows:

14 2. The board shall consist of ~~fifteen~~ seventeen voting
15 members, as follows:

16 a. The following members representing state agencies:

17 (1) One member representing the department of public
18 safety.

19 (2) One member representing the state department of
20 transportation.

21 (3) One member representing the department of homeland
22 security and emergency management.

23 (4) One member representing the department of corrections.

24 (5) One member representing the department of natural
25 resources.

26 (6) One member representing the Iowa department of public
27 health.

28 (7) One member representing the office of the chief
29 information officer created in section 8B.2.

30 b. The governor shall solicit and consider recommendations
31 from professional or volunteer organizations in appointing the
32 following members:

33 (1) Two members who are representatives from municipal
34 police departments.

35 (2) Two members who are representatives of sheriff's

1 offices.

2 (3) Two members who are representatives from fire
3 departments. One of the members shall be a volunteer fire
4 fighter and the other member shall be a paid fire fighter.

5 (4) Two members who are law communication center managers
6 employed by state or local government agencies.

7 (05) One member who is an emergency medical care provider
8 as defined in section 147A.1.

9 (5) One at-large member.

10 Sec. 10. Section 423F.3, subsection 6, Code 2015, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. *0c.* Additionally, "*school infrastructure*"
13 includes the acquisition or installation of information
14 technology infrastructure. For purposes of this paragraph,
15 "*information technology infrastructure*" means the basic,
16 underlying physical framework or system necessary to deliver
17 technology connectivity to a school district and to network
18 school buildings within a school district.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to the availability of broadband access
23 via fiberoptic network infrastructure across the state.

24 The bill modifies provisions in Code chapter 8B, the
25 information technology chapter which creates the office of the
26 chief information officer, by adding several definitions to the
27 Code chapter. The bill defines "broadband" as a high-speed,
28 high-capacity electronic transmission medium that can carry
29 data signals from multiple independent network sources by
30 establishing different bandwidth channels and that is commonly
31 used to deliver internet services to the public. The bill
32 defines "fiberoptic network infrastructure" as the physical
33 infrastructure used for the transmission of data via broadband
34 over fiberoptic networks. The bill also adds definitions for
35 "communications service provider" and "targeted underserved

1 service area". The bill changes the definition of "information
2 technology" to include broadband and fiberoptic network
3 infrastructure.

4 The bill adds additional powers and duties for the chief
5 information officer relating to broadband and fiberoptic
6 network infrastructure. The bill includes coordination of
7 statewide broadband availability and access via fiberoptic
8 network infrastructure as a mission of the office of the
9 chief information officer. The bill also requires the chief
10 information officer to streamline, consolidate, and coordinate
11 access to and availability of broadband via fiberoptic network
12 infrastructure. The bill directs the chief information officer
13 to submit an annual report regarding the status of broadband
14 expansion and coordination via fiberoptic networks. The
15 bill also adds the chief information officer as a nonvoting,
16 ex officio member to the telecommunication and technology
17 commission, established in current Code section 8D.3 and which
18 oversees the operation of the Iowa communications network, and
19 to the statewide interoperable communications system board
20 established in current Code section 80.28 under the purview of
21 the departments of public safety and transportation. The bill
22 makes corresponding amendments regarding voting members of the
23 commission and the appointment of the executive director of the
24 telecommunication and technology commission. The bill also
25 adds an emergency care provider to the statewide interoperable
26 communications system board.

27 Finally, the bill adds the acquisition or installation of
28 information technology infrastructure, as defined in the bill,
29 to the definition of "school infrastructure" for purposes
30 of the statewide school infrastructure funding provisions
31 contained in Code chapter 423F.